

REMARKS

The above-noted amendments to claims 1 and 9, and the cancellation of claims 6 and 15 are respectfully submitted in response to the official action dated April 12, 2004.

In that official action, claims 1-17 were rejected, and the Examiner has taken the position that these claims are unpatentable under the doctrine of obviousness-type double patenting over the claims of U.S. Patent No. 6,544,436. These claims are said not to be patentably distinct from each other because the "at least one azole" of the claims of the '436 patent is said to allow it to be 1,2,3-azole as recited in claim 9 or tetrazole as recited in claim 1. It has also been noted that an amendment had been agreed upon in which claims 1 and 9 were to include the limitations of a composition allowed in the parent application, but, in view of the double-patenting rejection, it has now been stated the claims should be amended to exclude the 1,2,3-triazole as the first azole, and only to leave tetrazole as the first azole of the composition. This rejection is respectfully traversed in view of the above amendments and arguments and for the reasons set forth hereinafter.

The present invention is specifically directed to a method for roughening a copper surface with a liquid etchant which can form a copper conductive pattern layer with the roughened surface increased in acid resistance in relatively short periods of time. Claim 1 as amended is specifically directed to such a method in which the liquid etchant solution includes the specified oxo acid along with an auxiliary component containing at least one tetrazole and a second azole. Claim 9 is directed to such a method including the oxo acid, and an auxiliary component containing at least one 1,2,3-azole as defined therein as well as a second azole.

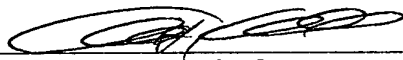
Since the only rejection in this case was based upon alleged double patenting with respect to the claims of the '436 patent, and since the claims in the '436 patent are not directed to any such methods, employing any such liquid etchants, or to an etchant composition for use in such methods containing the claimed combination of at least one tetrazole and a second azole or the defined 1,2,3-azole along with a second azole, it is now clear that the present claims are patentably distinct from the claims in the '436 patent, and that the double-patenting rejection should be withdrawn. Such action is therefore respectfully solicited.

If, however, for any reason the Examiner still does not believe that this application is in condition for allowance, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any further objections the Examiner might have to allowance of this application.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: September 9, 2004

Respectfully submitted,

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